

May 8, 2006
Seven o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: MARTIN GIPSON, NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (8/0). City Clerk Diane Whitbey and Deputy City Attorney Jason Carter were also present.

The invocation was given by Alderman Hight, followed by the pledge of allegiance to the flag which was led by Alderman Witcher.

On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the minutes from a regular council meeting held on April 24, 2006, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Alderman Berry and seconded by Alderman Witcher, and by consent of all members present, communications # 1, 6, 7, 8, and 9 were not read, but accepted and filed (8/0).

1. Sharon Tedford, Mayor's Office memorandum re: retail beer off premises change of manager request for Pilot Travel Center #332, 3300 Highway 391, by John W. Connell.
6. Pat Harris communication re: O-06-50 and O-06-51 stating opposition to day cares due to unsafe conditions in area.
7. Brandi Ritchie letter to City Council from Becky S. Binz, R. S. Environmental Health Specialist re: Body Piercing by Brandi.
8. Brandi Ritchie letter to council members re: special use permit for Body Piercing by Brandi Special Use request.
9. Sharon Tedford, Mayor's Office memorandum re: change of manager for Grampa's Catfish House, 1218 Mission Road by Vester Townsend.

On the motion of Alderman Parker and seconded by Alderman Berry, and by consent of all members present, communication #2 was read by title only, accepted and filed (8/0).

2. Alderman John Parker memorandum to City Council members re: proposed barricading of West Scenic and requesting a public hearing.

Alderman Parker explained the need of the proposed barricade and advised legislation would be filed for the next City Council Meeting and a public hearing would be held that date (May 22, 2006).

On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, communication #3 was read by title only, accepted and filed (8/0).

3. Joe Smith, Director of Commerce and Governmental Affairs letter from Eric Herget, Senior Vice President, Rebsamen Insurance, Inc. re: check for \$63,002.00 for no claims bonus on Hydro Electric Insurance Policy.

Mayor Hays advised the amount represents a refund and this type of clause is not a standard in insurance policies.

On the motion of Alderman Hight and seconded by Alderman Bryant, and by consent of all members present, communication #4 was not read, but accepted and filed following a presentation from Mr. Bob Rhoads, Parks and Recreation Director (8/0).

4. Mr. Rhoads, letter to Mayor Hays and City Council re: Rocket Slide in Burns Park and unsafe conditions/proposed replacement with similar type equipment.

Mr. Rhoads said the rocket slide in Burns Park has become obsolete and unsafe and recommended replacing it with a comparable modern rocket slide which meets current playground safety standards. Existing Hamburger Tax Capital funds would be used. The total amount is \$99,488.68 which includes the equipment total, freight, installation and other charges, as well as a discount, plus sales tax. Mr. Rhoads advised the old slide would be scrapped.

On the motion of Alderman Gipson and seconded by Alderwoman Robinson, communication #5 was read, accepted and filed (8/0).

5. Robert Voyles, Planning Director memorandum to Mayor Hays and City Council members re: location of Pike Avenue round-about and proposed new roadway alignment.

Mr. Voyles answered design questions and advised Traffic Services could answer traffic flow questions. The design would replace River Road and support a proposed new subdivision west of Pike Avenue along the Arkansas River.

Mayor Hays invited Mr. Rhoads to again come forward regarding "Student Signatures in Space". Mr. Rhoads introduced Mr. Jeff Caplinger who passed around a poster for the council members to sign. Mr. Ernest Peeple explained the program in more detail and introduced three students (Terek Spring, Christopher Bell and Melissa Brunon) who provided information to the council regarding their interest in the program. This is an honor for North Little Rock as the North Little Rock Parks and Recreation Center is the only Recreation Center in the State of Arkansas to participate in the program. The poster will go into space aboard the next Space Shuttle and will be returned to North Little Rock, at which time it will be framed and displayed at the Recreation Centers.

Mayor Hays asked the council for a voice vote regarding a resolution urging congress, the Arkansas Legislature and the Governor to preserve municipal authority to require local franchises for the provision of video services. Basically, franchise rights could be taken from cities. On the motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, a motion for a voice vote was called and unanimously adopted (8/0).

UNFINISHED BUSINESS

None.

NEW BUSINESS

R-06-66 (RESOLUTION NO. 6943 - MAYOR HAYS)

A RESOLUTION REAPPOINTING CHARLES LEE JONES TO THE PARKS AND RECREATION COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted (8/0). Mayor Hays thanked Mr. Jones who was present for his continued service on the Parks and Recreation Commission.

R-06-67 (RESOLUTION NO. 6944 - MAYOR HAYS)

A RESOLUTION APPOINTING KAY HARDIN TO THE UNEXPIRED TERM OF CARMEN FERNANDEZ ON THE CENTRAL ARKANSAS TRANSIT AUTHORITY BOARD; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Bryant, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-06-68

A RESOLUTION REPEALING RESOLUTION NO. 6900 WHICH DECLARED 5216 (SOUTH) WOODLAND IN THE CITY OF NORTH LITTLE ROCK A NUISANCE AND CONDEMNED IT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Gipson and seconded by Alderman Berry. Mr. Tom Wadley, Director of Code Enforcement advised Circuit Judge Humphrey had purchased the property and his counsel had contacted the City Attorney's Office regarding repealing Resolution No. 6900. Alderwoman Robinson expressed concern regarding the condition of the property and repealing the condemnation. The legislation was then held at the request of the sponsor, Mayor Hays.

R-06-69 (RESOLUTION NO. 6945 - ALDERMEN HIGHT AND WITCHER)

A RESOLUTION APPROPRIATING \$20,000.00 FROM WARD 4 DRAINAGE FUNDS FOR THE EXTENSION OF FIRE PROTECTION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-06-70 (RESOLUTION NO. 6946 - ALDERMEN THOMAS AND ROBINSON)

A RESOLUTION APPROPRIATING \$4,776.50 FROM WARD 2 DRAINAGE FUNDS FOR SIGNS TO BE INSTALLED IN ARGENTA RESIDENTIAL DISTRICT; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-06-46

AN ORDINANCE ESTABLISHING NEW ELECTRIC RATES FOR CUSTOMERS OF THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held at the request of the sponsor, Mayor Hays.

O-06-47 (ORDINANCE NO. 7826 - MAYOR HAYS)

AN ORDINANCE ESTABLISHING THE CYPRESS CROSSING MULTI-PURPOSE MUNICIPAL PROPERTY OWNERS' IMPROVEMENT DISTRICT NO. 26 OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read. Alderman Gipson made a motion to suspend the rules. Mr. Carter advised a public hearing needed to be held this date in order to meet the 15 day rule. Alderman Gipson withdrew his motion. Mayor Hays convened a public hearing. There was discussion regarding the names of the petitioners compared to the signatures on the petition. Mr. Bob Hardin, the attorney representing the Cypress Crossing Multi-Purpose Municipal Property Owner's Improvement District No. 26 spoke. There being no one else wishing to be heard, Mayor Hays adjourned the public hearing. On the motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-06-48 (ORDINANCE NO. 7827 - MAYOR HAYS)

AN ORDINANCE ALLOWING A SPECIAL USE FOR A BODY PIERCING SHOP IN A C-1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5100 JFK BOULEVARD, #8, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read (applicant: Brandi Ritchie).

Mayor Hays advised the business is currently located in Park Hill at 3300 JFK Boulevard and the applicant is requesting to relocate the business to 5100 JFK Boulevard. On the motion of Alderman Gipson and seconded by Alderman Bryant, and by consent of all members present, with the exception of Alderman Witcher who voted no, the rules were suspended and the ordinance was placed on its second reading (7/1). On the motion of Alderman Gipson and seconded by Alderman Bryant, and by consent of all members present, with the exception of Aldermen Hight and Witcher who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (6/2). The roll having been called, and all members present having voted in the affirmative, with the exception of Aldermen Hight and Witcher who voted no, the ordinance was adopted (6/2). On the emergency clause, all members present voted in the affirmative, with the exception of Aldermen Hight and Witcher who voted no, the emergency clause was adopted (6/2).

O-06-49

AN ORDINANCE PROHIBITING ACCESS TO RESIDENTIAL PROPERTY ACROSS CURBS AND SIDEWALKS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read one time and held at the request of the sponsor, Alderman Gipson. Aldermen Thomas and Robinson expressed concerns regarding the effects of the proposal in their area. A public hearing will be held, Monday, May 22, 2006, at 7:05 p.m.

O-06-50

AN ORDINANCE ALLOWING A SPECIAL USE FOR A DAY CARE CENTER IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1608 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held at the request of the sponsor, Alderman Gipson (applicant: Felecia Davenport).

O-06-51

AN ORDINANCE ALLOWING A SPECIAL USE FOR A HOME DAY CARE IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1519 SCHAEER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held at the request of the sponsor, Alderman Gipson (applicant: Vernon Jones).

O-06-52

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR LONG TERM DISABILITY INCOME PROTECTION INSURANCE COVERAGE FOR NON-UNIFORM EMPLOYEES OF THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Bryant, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). The ordinance was read a second time and held at the request of the sponsor, Alderman Gipson. Alderman Gipson said the city provides long term disability income insurance coverage to uniformed employees but not non-uniformed employees. Alderman Hight said the amount for insurance coverage was reasonable and not many companies offer said insurance to municipalities.

PUBLIC COMMENTS-----

Alderman Witcher reminded everyone the Police Athletic League (PAL) Annual Golf Tournament/Fund Raiser is Friday, May 12, 2006, the North Little Rock Boys and Girls Club Bar-b-que is Thursday, May 18, 2006, and the 2nd Annual Buzz BBQ is Saturday, May 20, 2006. Alderman Bryant said a dedication will be held at the Burns Park Tennis Center on May 11, 2006. Mayor Hays said there will be an important announcement Wednesday, May 10, 2006, at 10:00 a.m. at the North Little Rock Chamber of Commerce in the Bank of the Ozarks room. The Argenta Library Dedication will be June 22, 2006. Aldermen Witcher and Hight mentioned the council's decision regarding a special use to allow a body piercing business in Ward 4. Alderman Parker thanked everyone who participated in the Citywide Cleanup Saturday and recognized Alderwoman Robinson and Mrs. Margaret Powell, Community Relations Director for their efforts and encouraged people to continue to keep North Little Rock beautiful. Mr. Matthew Richard thanked the council for not suspending the rules on all items. Mr. Richard said if a public hearing regarding the Improvement District was supposed to be held at the second meeting in May as reflected in the minutes, that it wasn't fair to the public to hold the meeting this date and adopt the legislation. Mr. Scott Miller thanked Alderman Thomas and Alderwoman Robinson for their vote to direct Ward 2 funds to directional signs in the downtown Historic Argenta neighborhood. Mr. James Ard thanked Mr.

Eddie Powell and the North Little Rock School District for helping with the cleanup, too. Mr. Ard said Mr. Anderson was told he could not address the council because he did not live in the city. Mr. Ard said he understood that Mayor Hays secretary Becky Taylor had suggested the Volunteer Luncheon be held on the Delta Queen and thanked her. Mr. Ard said a family member of an Alderman had made a threatening call to his mother's home. Mr. Ard then offered a prayer.

There being no further business to come before the Council, and on the motion of Alderman Gipson and seconded by Alderman Bryant, and by consent of all members present, the meeting adjourned at 8:30 p.m. (8/0), until the next regular meeting to be held on Monday, May 22, 2006, at seven o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS
ATTEST: DIANE WHITBEY, CITY CLERK